

Remarks/Arguments

Claims 2-14 and 17-21 are pending in this application. Of these, claims 2, 17 and 21 are independent claims.

In the Office Action, the Examiner rejected all of the formerly pending claims 1-21 under 35 U.S.C. 102(b) as anticipated by Mikhailov (U.S. Patent No. 6,990,534 B2). In response, the Applicant has cancelled former independent claims 1, 15 and 16 and has rewritten claims 2 and 17 as independent claims. As well, the Applicant has added limitations to claim 21 that are similar in scope to limitations in claims 2 and 17 as amended. The Applicant submits that the amended independent claims are novel over Mikhailov because each claim includes at least one limitation that is not shown in that reference.

In particular, claim 2 is directed to a method of enabling use of an application server application by a wireless communication device. The claim includes the limitations of "... on receipt of a given message from said wireless communication device for said application on said application server, queuing said given message on a queue for said application; and subsequent to said queuing, pushing said given message ... toward a destination for said application of said application server...". The claim also specifies that the pushing comprises "for each message on said queue, dequeueing said each message from said queue and pushing said each message" (emphasis added). From the amended claim language, it is clear that pushing of the message occurs subsequent to the queuing of a message, especially given that the pushing involves

dequeuing the message from the queue.

In contrast, the cited portion of Mikhailov does not disclose such queuing and subsequent pushing. Attention is drawn to FIG. 34B, as referenced in the Examiner's rejection of original claim 1. The Applicant understands the Examiner to consider Push Interface 1014 of that figure as evidencing the pushing of messages and to further consider Queue or Topic 25012 as disclosing a "queue for an application". If this is correct, then the Applicant submits that Mikhailov cannot anticipate claim 2 as amended. The reason is that the Push Interface 1014 is upstream of the "queue", which strongly suggests that pushing occurs prior to queuing in Mikhailov. In other words, the Applicant submits that "pushing" by Push Interface 1014 cannot possibly involve dequeuing a message from a queue (as would be required for amended claim 2 to be anticipated), because messages in Mikhailov presumably do not reach the queue until after they have been "pushed" by Push Interface 1014.

Accordingly, because the above-described limitations of claim 2 are not shown in Mikhailov, it is submitted that claim 2 cannot be anticipated by Mikhailov. The Applicant therefore respectfully requests withdrawal of the rejection of claim 2.

Claims 17 and 21 are server and computer readable medium claims (respectively) corresponding to method claim 2 which were rejected on the similar grounds. The Applicant's arguments regarding claim 2 are equally applicable to these claims. Accordingly, the Applicant respectfully requests that the rejections of claims 17 and 21 also be withdrawn, for the same reasons.

Given that the independent claims distinguish over the cited art, the remaining claims, which depend from the independent claims, also distinguish over the art of record.

Claims formerly dependent on claims 1 and 16 have been amended to depend from claims 2 and 17, respectively, in view of the cancellation of claims 1 and 16.

No new matter is believed to have been added by any of the amendments described above.

In view of the foregoing, favorable reconsideration and allowance of the application are earnestly solicited.

Respectfully submitted,



Peter Elyjiw
Registration No. 58,893

SMART & BIGGAR
438 University Avenue
Suite 1500, Box 111
Toronto, Ontario
Canada M5G 2K8

Telephone: (416) 593-5514
Facsimile: (416) 591-1690

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